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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,547	12/18/2001	Wilfried Soker	195.41	5470
22497	7590	06/15/2004	EXAMINER	
LARSON AND LARSON 11199 69TH STREET NORTH LARGO, FL 33773			PREVIL, DANIEL	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/023,547	SOKER, WILFRIED	
	<b>Examiner</b>	<b>Art Unit</b>	
	Daniel Previl	2636	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>06092004</u> . | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-19, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krahner et al. (US 6,436,058) in view of Choi (US 6,645,037).

Regarding claim 11, Krahner discloses an indication device for communicating at least one operating state of at least one mechanism of a computer system (col. 9, lines 10-50) the indication device comprising: at least one interface for permitting the indication device to communicate with the computer system (monitoring device 210 communicates with the clinician system 215) (col. 6, lines 33-35); a first connection medium 1000 for coupling the at least one interface to the computer system (col. 6, lines 33-35); displaying 280 a preselected operating state of the computer system 215 (fig. 2b; col. 8, lines 16-48); a second connection medium 2000 for coupling the housing to the at least one interface (the brace hinge assembly 205 communicates with the monitoring device 210) (fig. 2a; col. 6, lines 29-31).

Krahner discloses all the limitations above but fails to explicitly disclose a housing enclosing an optically perceptible display.

However, Choi discloses a housing 20 enclosing an optically perceptible display (LEDs 22) (col. 3, lines 58-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Choi in Krahner. Doing so provide the system with the capability of placing Choi's LEDs in Krahner' s brace hinge 205 in order to ensure long term reliability and performance and LED can also reduce electrical energy and maintenance cost so that users can save money as desired as taught by Choi (col. 1, lines 61-67; col. 2, lines 1-40).

Regarding claim 12, Krahner discloses at least one operating state of the least one mechanism of the computer system is a modem connection (a modem is inherently included in the computer 215) (fig. 2a).

Regarding claim 13, the above combination discloses all the limitations in claim 11 and Choi further discloses one LED (col. 1, lines 61-65). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Choi in Krahner. Doing so provide the system with the capability of placing Choi's LEDs in Krahner' s brace hinge 205 in order to ensure long term reliability and performance and Led can also reduce electrical energy and maintenance cost so that users can save money as desired as taught by Choi (col. 1, lines 61-67; col. 2, lines 1-40).

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Regarding claim 14, Krahner discloses one interface is an usb connector (usb connector is inherently included in the computer 215 via the interface 1000) (fig. 2a).

Regarding claim 15, Krahner discloses first and second connection mediums are chosen from the group consisting of cables and wireless transmitters (col. 8, lines 20-48).

Regarding claim 16, the above combination discloses all the limitations in claim 11 and Choi further discloses the housing is a simulated play toy (col. 3, lines 58-63).

Regarding claim 17, the above combination discloses all the limitations in claim 11 and Choi discloses the model toy (col. 3, lines 58-65).

Regarding claim 18, the above combination discloses all the limitations in claim 11 and Choi further discloses a portion of the simulated play toy includes at least one moveable body part (col. 4, lines 6-9).

Regarding claim 19, the above combination discloses all the limitations in claim 11 and Choi further discloses the moveable body part is operated by a motor (col. 4, lines 9-11).

Regarding claim 23, the above combination discloses all the limitations in claim 11 and Choi further discloses a display selector switch (col. 4, lines 51-62; col. 5, lines 39-40).

Regarding claim 24, the above combination discloses all the limitations in claim 11 and Choi further discloses the selector switch displays a particular

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operating state of the computer system (the on/off switch microprocessor controls a light source Led which is operational under given programmed conditions of the processor 51) (col. 4, lines 51-62).

Regarding claim 25, Krahner discloses communication information related to an Internet or LAN connection (col. 8, lines 35-40).

3. Claims 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krahner et al. in view of Choi and further in view of Prohaska et al. (US (4,244,210).

Regarding claim 20, Krahner and Choi disclose all the limitations in claim 11 but fail to explicitly disclose liquid dispensing fountain includes pump.

However, Prohaska discloses a fuel pump (col. 3, lines 7-19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Prohaska in Krahner and Choi. Doing so would use the pump to retain the liquid in the motor vehicle so driver of the motor vehicle can determine efficiently the level of liquid for a better performance of the motor vehicle as taught by Prohaska (col. 1, lines 5-17).

Regarding claim 21, the above combination discloses all the limitations in claim 17 and Prohaska further discloses the numerical stenciled dial includes an analog measuring instrument with a needle (fig. 1).

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Regarding claim 22, the above combination discloses all the limitations in claim 17 and Prohaska further discloses the numerical stenciled dial includes a row with several seven-segment displays (fig. 1).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Maa (US 6,572,431) discloses a computer-controlled talking figure toy with animated features.

Lebensfeld et al. (US 6,328,651) discloses a projected image target shooting toy.

Kang (US 6,279,049) discloses a device bay system for controlling devices coupled to a computer.

Giardina (US 4,773,023) discloses an apparatus for measuring the rate of heat dissipation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is 703 305-1028. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

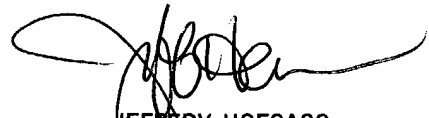
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on 703 305-4717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Previl  
Examiner  
Art Unit 2636

DP  
June 9, 2004.



JEFFERY HOFSSASS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600